

IN THE UNITED STATES BANKRUPTCY COURT
FOR THE NORTHERN DISTRICT OF OHIO
EASTERN DIVISION

In re:) Case No. 10-17252
George C. Daher,) Chapter 7
Debtors.) Judge Pat E. Morgenstern-Clarren

**MOTION FOR ORDER TO SHOW CAUSE AS TO WHY GEORGE C. DAHER AND
JOHN W. GOLD SHOULD NOT BE HELD IN CONTEMPT OF COURT FOR
FAILURE TO COMPLY WITH THIS COURT'S FEBRUARY 6, 2015 ORDER
GRANTING MOTION OF TRUSTEE FOR AUTHORITY TO COMPROMISE
CONTROVERSY (DOCKET ENTRY #95)**

Now comes the Trustee, by and through counsel, and moves this Court for an Order on George C. Daher and John W. Gold, to appear and show cause why they should not be held in contempt of this Court's February 6, 2015 Order Granting Motion of Trustee for Authority to Compromise Controversy (Docket Entry #95). On January 15, 2015 the Trustee filed his Motion for Authority to Compromise Controversy relative to Adversary Case No. 13-1232. A copy of the Settlement Agreement and Mutual Release was attached to the Motion. The Settlement Agreement and Mutual Release Agreement were drafted by John W. Gold. No objections or responses were filed in response to the Motion. The Motion provided that \$32,722.37 of the State of Ohio Division of Unclaimed Funds (the "Funds") be paid to the Trustee within five days of entry of the Order granting same.

The Order granting the Motion to for Authority to Compromise Controversy was entered on February 6, 2015. The Trustee has tendered a signed copy of the Settlement Agreement and Mutual Release to John W. Gold. The Trustee has requested turnover of the Funds.¹ In lieu of turning over the Funds, Mr. Gold has renewed his demand for attorney's fees from the Funds. The Trustee has not received any of the Funds as of this date.

For the foregoing reasons, the Trustee requests that this Court enter an Order on George C. Daher and John W. Gold to appear and show cause as to why they should not be held in contempt of this Court's Order.

/s/ Lauren A. Helbling (0038934)
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¹ Pursuant to the September 9, 2013 Agreed Order entered as Docket Entry #44, the Funds were to be paid to Mr. Gold and held in his IOLTA account. To the Trustee's knowledge, the Funds have been paid to and received by Mr. Gold and are in fact on deposit in his IOLTA account although the Trustee has never received any independent verification of same.

CERTIFICATE OF SERVICE

I certify that on March 2, 2015 a true and correct copy of the **MOTION FOR ORDER TO SHOW CAUSE AS TO WHY GEORGE C. DAHER AND JOHN W. GOLD SHOULD NOT BE HELD IN CONTEMPT OF COURT FOR FAILURE TO COMPLY WITH THIS COURT'S FEBRUARY 6, 2015 ORDER GRANTING MOTION OF TRUSTEE FOR AUTHORITY TO COMPROMISE CONTROVERSY (DOCKET ENTRY #95)**

was served:

Via the Court's Electronic Case Filing System on these entities and individuals who are listed on the Court's Electronic Mail Notice List:

- Amelia A Bower abower@plunkettcooney.com,
dstogner@plunkettcooney.com;bkennedy@plunkettcooney.com
- John W. Gold jgold@jwg-law.com
- Lauren A Helbling lauren@helblinglpa.com
- United States Trustee (Registered address)@usdoj.gov
- Waldemar J Wojcik wwojcik@wojciklpa.com, wwojcik@ecf.epiqsystems.com

And by regular mail to:

George C Daher
8137 Maplegrove Avenue
North Royalton, OH 44133

/s/ Lauren A. Helbling